

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Arne HERMANSEN et al

Conf. No.: 9199

Appln. No.: 10/533,166

Group Art Unit: 0000

Filed: April 29, 2005

Examiner: Unassigned

For: ASSAY METHOD

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

MAIL STOP: MISSING PARTS

Commissioner of Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the "Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)", dated November 18, 2005, for which response is due on or before January 18, 2006, Applicants submit herewith the attached executed Declaration and Power of Attorney.

The surcharge, in the amount of \$65.00 (small entity), is also attached.

Additionally, it is requested that Applicants submit an additional fee, in the amount of \$200.00, for excess non-small entity claims.

In response thereto, Applicants respectfully submit that an original statutory filing fee for large entity status, in the amount of \$2,310.00 (as evidenced by a copy of reconciled check no. 271486 and the date-stamped mailroom receipt therefor), was paid. However, Applicants are providing herewith a copy of the executed Small Entity Status Declaration which verifies Applicants' status as small entity.

Hence, Applicants submit that the full statutory filing, in the amount of \$1,255.00, has been provided, and are filing

**RESPONSE TO NOTICE OF
MISSING REQUIREMENTS
U.S. Appln. No. 10/533,166**

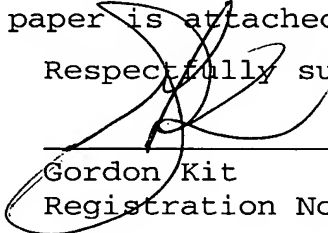
simultaneously herewith, a Request for Refund for the overpayment of said statutory filing fee.

Finally, in response to the request for submission of a Sequence Listing (paper and electronic copy thereof), along with a Preliminary Amendment and Statement in Support of Submission, Applicants file simultaneously herewith a Statement in Support of Submission, accompanied by a DOS version diskette containing the Sequence Listing and Statement in Support thereof.

The Examiner is respectfully requested to enter the Sequence Listing into the application.

The Commissioner is hereby authorized to charge any underpayment or credit any overpayment to Deposit Account No. 19-4880. A duplicate copy of this paper is attached.

Respectfully submitted,



Gordon Kit
Registration No. 30,764

SUGHRUE MION, PLLC

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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: January 17, 2006

01/19/2006 MKAYPAGH 00000050 10533166

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65.00 DP

NATIONAL STAGE of PCT/GB2003/004712

REQUEST FOR EARLY NOTIFICATION OF SERIAL NUMBER

Inventors: Arne HERMANSEN et al

Title: ASSAY METHOD

Atty Doc. #: Q-87648 Client: Frank B. Dehn & Co.

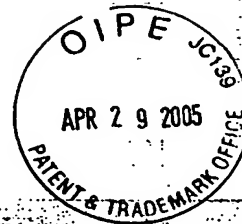
Filing Date: 04/29/05 # Pgs.: 43/1 #Claims: 25

Dwgs: no Decl no Pre Amdt: yes ISR: yes

IDS: yes Pr Doc: no Asgmt: no Fee: \$2,310.00

☒ Check Attached/Check No. 27486 Atty: GK/vf

SERIAL NO.: _____





SUGHRUE MION, PLLC
 4100 PENNSYLVANIA AVENUE, N.W.
 WASHINGTON, D.C. 20037-3213

DATE
01/25/05

65-270
 550

271486

SUNTRUST
 SunTrust Bank

TWO THOUSAND THREE HUNDRED TEN AND 00/100 DOLLARS

PAY TO THE ORDER OF

DIRECTOR OF THE U.S. PATENT
 AND TRADEMARK OFFICE

AMOUNT
\$2,310.00

Cynthia C. Walker

⑈0000231000⑈

⑈271486⑈ ⑆055002707⑆ 206548885⑈

SUNTRUST RIC 65102005
 6717-001 INCL
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PATENT AND TRADEMARK OFFICE
 15-10-0001
 05-06-2005
 FOR CREDIT TO THE
 U.S. TREASURY

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 PHILA, PA 05692005 189K
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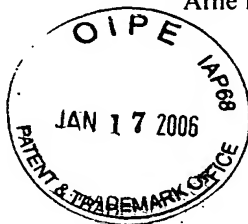
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2FM

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/533,166	Arne Hermansen	Q-87648

23373
SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
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INTERNATIONAL APPLICATION NO.	
PCT/GB03/04712	
I.A. FILING DATE	PRIORITY DATE
10/31/2003	11/01/2002

CONFIRMATION NO. 9199

371 FORMALITIES LETTER



OC000000017480936

Date Mailed: 11/18/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/29/2005
- Copy of the International Search Report filed on 04/29/2005
- Preliminary Amendments filed on 04/29/2005
- Information Disclosure Statements filed on 04/29/2005
- Request for Immediate Examination filed on 04/29/2005
- U.S. Basic National Fees filed on 04/29/2005

The applicant needs to satisfy supplemental fees problems indicated v.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$200** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$330** for a Large Entity:

- **\$130 Surcharge.**

- This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c) Applicant must provide an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application** and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

- Total additional claim fee(s) for this application is **\$ 200**

- **\$200 for 5 independent claims over 3.**

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov**

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
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10/533,166

PCT/GB03/04712

Q-87648

FORM PCT/DO/EO/905 (371 Formalities Notice)